

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF PUERTO RICO**

IVETTE M. MARTÍNEZ GONZÁLEZ, ET AL.,

Plaintiffs,

v.

CATHOLIC SCHOOLS OF THE
ARCHDIOCESES OF SAN JUAN PENSION
PLAN, ET AL,

Defendants.

CIVIL No. 16-2077 (GAG)

**MOTION FOR EXTENSION OF TIME TO SUBMIT DISPOSITIVE MOTION
AS TO THE CHURCH PLAN EXEMPTION**

TO THE HONORABLE COURT:

COMES NOW co-defendants Juan Santa (“Mr. Santa”) and Rosa Figueroa (“Mrs. Figueroa”, together with Mr. Santa “Co-defendants”), through the undersigned counsel, and very respectfully states and prays as follows:

1. On March 30, 2017, this Honorable Court entered an *Order* indicating that the deadline to file dispositive motions as to the Church Plan Exemption was set for November 20, 2017. *See, Docket No. 113.*

2. Notwithstanding Co-defendants’ best efforts to comply with the Court-approved deadline, the intervening passage of Hurricanes Irma and María caused damages to the undersigned’s offices, which in turn resulted in an interruption of the Firm’s operations.

3. In addition, the deposition transcripts of Mr. Francis Oullette and Mrs. Anabel P. Casey, which took place during the month of August, are still not available, presumably also as a result of the aftermath of the hurricanes. As of this filing, Co-defendants do not have an estimate of when the transcripts will be received. These

deposition transcripts are highly relevant to Co-defendants' dispositive motion. Accordingly, it will not be possible to complete the same without first reviewing and analyzing these two (2) transcripts.

4. Furthermore, due to the telecommunications glitches, the undersigned have been impeded to communicate effectively with Co-defendants in order to fully comply with court established milestones.

5. Therefore, Co-defendants request an extension of time of thirty (30) days, until December 20, 2017, to file a dispositive motion as to the Church Plan Exemption in this case.

6. Pursuant to Fed. R. Civ. P. 16(b)¹, courts "may extend a scheduling order deadline if the [deadline] cannot reasonably be met despite the diligence of the party seeking the extension." *See O'Connell v. Hyatt Hotels of Puerto Rico*, 357 F.3d 152, 154 (1st Cir. 2004); *see also* Advisory Committee Notes to Rule 16 (1983 amendments).

7. For the reasons stated above, Co-defendants respectfully submit that there is good cause for an extension of the case management deadline to file dispositive motions in this case.

8. The instant request is made in good faith and is not intended to unduly delay the instant proceedings.

WHEREFORE, the undersigned counsel respectfully requests the Clerk of Court and all parties of record to take notice of the foregoing and that this Honorable Court grants the extension of time of thirty (30) days, until December 20, 2017, for the

¹ In relevant part, Fed. R. Civ. P. 16(b)(4) provides that "[a] schedule may be modified only for good cause and with the judge's consent."

appearing Co-defendants to file a dispositive motion as to the Church Plan Exemption in this case.

RESPECTFULLY SUBMITTED.

In San Juan, Puerto Rico, this 20th of November of 2017.

IT IS HEREBY CERTIFIED that on this same date a true and exact copy of the foregoing was filed electronically with the Clerk of the Court via the CM/ECF system, which will send notification of such filing to all attorneys of record.

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